

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No. 167
APH-0101

In Re Application Of:
Grant W. Heinicke

Application No.
09/606,629

NOV 26 2004
06/29/2000

Examiner
E.J. Webman

Customer No.
23413

Group Art Unit
1617

Confirmation No.
7996

Invention:

Controlled Absorption Diltiazem Pharmaceutical Formulation

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 05/20/2004 finally rejecting Claim(s) 60-70

The fee for this Notice of Appeal is: \$340.00

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1130
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

11/22/2004 HALI11 00000071 09606629

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Karen A. LeCuyer
Signature

Dated: November 22, 2004

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 11/22/2004

(Date)

Michelle E. Fetzner
Signature of Person Mailing Correspondence

Michelle E. Fetzner

Typed or Printed Name of Person Mailing Correspondence

cc: